

21 NOV 1973

STATINTL

MEMORANDUM FOR: [REDACTED] Office of Legislative  
Counsel

SUBJECT : Briefing Document, Public Law 92-313

As requested, attached is a broad and generalized summary of the current status of Public Law 92-313, relative to the Agency. Please note that costs are rounded and explanatory or clarifying information minimized in the interest of brevity. If further information is required, please call on extension [REDACTED]

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[REDACTED]  
Deputy Director of Logistics

Attachment

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LEGISLATIVE COUNSEL BRIEFING DOCUMENT

PUBLIC LAW 92-313

I. The Public Buildings Amendments of 1972, P. L. 92-313:

The Act amends the Public Buildings Act of 1959 and the Federal Property and Administrative Services Act of 1949.

A. Scope: The Act establishes a Federal Buildings Fund for construction, purchase, or lease of public buildings. Public Buildings acquisition is subject to the approval of the Senate and House Committees on Public Works when costs exceed \$500,000. The Administrator of the General Services Administration (GSA) is authorized to charge other agencies for services and space furnished at rates comparable to commercial charges. Space charges accrue to the Federal Buildings Fund, and services charges defray most GSA operating expenses. The net result is that, instead of GSA, individual agencies now budget for maintenance and operation of existing space plus contribute toward a fund for replacement or expansion space. 12/14/14

B. Applicability: P. L. 92-313 is generally held to be applicable to anyone furnished space or services by GSA; however, the parent Acts provide exceptions including buildings on military reservations and special-purpose buildings (i.e., buildings specifically constructed to meet the special needs of a given Agency). The parent Acts also provide for specific exemptions as determined by the Director, Bureau of the Budget (now, of course, OMB), and the GSA Administrator. Additionally, the Administrator, GSA, has exemption authority included under the provisions of P. L. 92-313.

C. Services Provided: GSA provides space through lease or assignment in existing Federal buildings. Criteria is established for Standard Levels of Maintenance which basically constitute the equivalent of commercial maintenance and operation for a one-shift, five-day week. Additional services, maintenance, and utilities, as required by the using agency, are furnished on a direct-reimbursement basis. The Federal Buildings

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Fund is available for lease, purchase, or construction of replacement/expansion space, as required, subject to appropriate GSA/Congressional approval.

II. Agency Impact:

STATINTL A. Applicability: By definition the Act applies only to Agency buildings in the United States which were provided or are maintained and operated by GSA. (Properties on military reservations or Agency-owned and -operated properties are not included.) The Agency concurs in the applicability of GSA charges for service furnished. The Agency also concurs on the applicability of space charges for those buildings which, for cover reasons or by the nature of their acquisition, are on GSA records and are maintained and operated by GSA. The Agency has, however, in a letter to the Administrator, GSA, claimed exemption from the space-charge provisions applied to its buildings in the Headquarters Complex at Langley and to its [REDACTED] in [REDACTED] Exemption is claimed for the following reasons:

STATINTL 1. Construction of the Headquarters Complex was effected with funds under special appropriation for the Agency;

[REDACTED]

3. The 1949 parent Act was specifically limited from affecting Agency activities;

4. Agency replacement or expansion facilities have not, heretofore, been subject to the review of the Public Works Committees; and

5. National security considerations preclude recognition of GSA space assignment and level of maintenance authority within the Agency's major Headquarters Buildings.

STATINTL B. Cost: The Agency has initially included an approximate amount of [REDACTED] in the FY 1975 program for costs attributable to GSA Standard Level User Charges

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(which include space charges) plus reimbursable charges for GSA-provided maintenance, operation, guard service, and facilities modifications. Of this [REDACTED] total, a minimum of approximately [REDACTED] represents space "Rental" charges for the Headquarters Complex and [REDACTED] (this amount being derived from the GSA estimate for SLUC, plus additional reimbursable costs, less the Agency estimate of direct-reimbursement costs only).

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III. OMB Position:

The Office of Management and Budget examiner has suggested that, if the Agency does not obtain exemption from the provisions of P. L. 92-313 for its Headquarters Complex and [REDACTED] the Agency may have to look to the Federal Buildings Fund (GSA and the Public Works Committees) as a source of funds for improvements, renovations, and special supplementary services for these facilities.

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## ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:  
Deputy Director of Logistics  
1206 Ames Bldg.

EXTENSION

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DATE

TO: (Officer designation, room number, and building)

DATE

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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1. [REDACTED]  
Office of Legislative  
Counsel  
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